

REMARKS

Claims 1, 4-8, 12-15 and 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Frey (6039336). Frey does not disclose a forged suspension trailing arm including an integral axle locating formation that fully encircles an axle. In Frey, as shown in Figure 1, the axle 1 is not fully encircled by an axle locating formation as a portion of the axle 1 is exposed. Additionally, the reinforced wall region 7 cannot be considered to be an axle locating formation as it is not part of the suspension arm 2.

Frey also does not disclose that the trailing arm is forged or cast. In Frey, the trailing arm is manufactured from fabricated sheet components having a closed box section profile. Fabricated components and forged or cast components are structurally different components. As defined at www.m-w.com, a fabricated component is constructed from “diverse and usually standardized parts.” A forged component is formed “by heating and hardening” or formed “by a mechanical or hydraulic press with or without heat.” A cast component is given a shape “by pouring in liquid or plastic form into a mold and letting harden without pressure.” Components made by casting or forging are different from components that are fabricated. The claimed invention is not anticipated by Frey.

Regarding claim 37, the Examiner states that the trailing arm of Figure 1 of Frey is C-shaped. The Examiner appears to be interpreting the axle opening, or the side where the axle is located, as being C-shaped. However, applicant is claiming that the portion *between* an axle locating formation and an axle locating formation has a c-section. Additionally, the section of Figure 1 of the trailing arm of Frey does not include a first flange and a second flange separated by a web.

Claims 3, 10, 11, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frey. Claims 3, 10, 11, 40 and 41 depend on patentable independent claim 1 and are allowable for the reasons set forth above.

Claims 1, 8 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Chalin et al. (7007960). Chalin discloses a fabricated trailing arm made from metal sheets. The fabricated trailing arm is not made of cast or forged components. Additionally, Chalin does not disclose a C-section profile as required in claim 8. With reference to Figures 11 and 12, the profiles disclosed appear to be box sections.

The Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C. \$300.00 (\$120.00 one month extension of time, \$180.00 information disclosure statement fee). No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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Dated: September 26, 2008